

IC 15-4-6

Chapter 6. Regulation of Agricultural Seeds and Plant Parts by Certification

IC 15-4-6-1

Persons subject to chapter; certification defined

Sec. 1. Every person, firm, association, limited liability company, or corporation who shall issue, use, or circulate any certificate, advertisement, tag, seal, poster, letter head, marking, circular, written or printed representation, or description of or pertaining to seeds or plant parts intended for propagation or sale, or sold or offered for sale wherein the words "Indiana State Certified", "State Certified", "Indiana Certified", "Certified", or similar words or phrases are used or employed, or wherein are used or employed signs, symbols, maps, diagrams, pictures, words or phrases expressly or impliedly stating or representing that such seeds or plant parts comply with or conform to the standards or requirements for certification recommended or approved by Purdue University shall be subject to the provisions of this chapter. Every issuance, use, or circulation of any certificate or any other instrument, as in this section above described, shall be deemed to be certification as that term is employed in this chapter.

(Formerly: Acts 1935, c.248, s.1.) As amended by P.L.183-1983, SEC.93; P.L.40-1993, SEC.29; P.L.8-1993, SEC.236.

IC 15-4-6-2

Compliance with rules; control of certification work by Purdue University; designation of agency for certification

Sec. 2. Every person, firm, association, limited liability company, or corporation subject to the provisions of this chapter shall observe, perform, and comply with all rules and requirements fixed, established, or specified by Purdue University as to what crops grown or to be grown in Indiana shall be eligible for certification hereunder, as to the conduct of such certification, either by Purdue University directly or by agents or agencies authorized by it and as to standards, and requirements for, and forms of and for certification hereunder. However, not more than one (1) such agent or agency for certification shall be designated for any one (1) specified crop. No certification, within the provisions of this chapter shall be made or authorized except by or through Purdue University.

(Formerly: Acts 1935, c.248, s.2.) As amended by P.L.183-1983, SEC.94; P.L.40-1993, SEC.30; P.L.8-1993, SEC.237.

IC 15-4-6-3

Certification work on self-supporting basis; qualification of agency designated for certification work

Sec. 3. Certification work, whether conducted by Purdue University or by an agency designated by it, shall be on a self-supporting basis and not for financial profit. Purdue University may designate as the agency for the certification of seeds or plant parts intended for propagation for sale any properly qualified nonstock, nonprofit agricultural association

incorporated under the laws of the state of Indiana, or any properly qualified agency.

(Formerly: Acts 1935, c.248, s.3.) As amended by P.L.40-1993, SEC.31.

IC 15-4-6-4

Exemption of university from liability for certifying agencies

Sec. 4. Purdue University shall not be financially responsible for debts incurred by, damages inflicted by, contracts broken by or claims against certifying agencies in conducting certification work.

(Formerly: Acts 1935, c.248, s.4.) As amended by P.L.40-1993, SEC.32.

IC 15-4-6-5

Withholding certification for dishonest practices

Sec. 5. Purdue University or its designated agency or agencies may withhold certification from any grower of seeds or plant parts who is engaged in or attempting to engage in any dishonest practices for the purposes of evading the provisions of this chapter, including standards, rules, and regulations laid down by Purdue University to cover certification.

(Formerly: Acts 1935, c.248, s.5.) As amended by P.L.183-1983, SEC.95; P.L.40-1993, SEC.33.

IC 15-4-6-6

Certification of foreign seeds or plant parts

Sec. 6. Where seeds or plant parts produced outside the state of Indiana, are offered for sale within the state of Indiana, the word "certified" shall not be used in connection therewith unless such seeds or plant parts have been certified by the agency officially approved by the inspection officials of the state, province, or country in which they originate, and whose standards are equal to those of Indiana or by the dean of agriculture of Purdue University.

(Formerly: Acts 1935, c.248, s.6.) As amended by P.L.40-1993, SEC.34.

IC 15-4-6-7

Repealed

(Repealed by Acts 1978, P.L.2, SEC.1549.)

IC 15-4-6-8

Unauthorized use of certification

Sec. 8. It is a Class C infraction for a person to issue, make, use, or circulate any certification without the authority and approval of Purdue University or its authorized agency.

(Formerly: Acts 1935, c.248, s.8.) As amended by Acts 1978, P.L.2, SEC.1527; P.L.40-1993, SEC.35.

IC 15-4-6-9

Administration of chapter; rules and regulations

Sec. 9. The duty of administering this chapter and carrying out its provisions and requirements shall be vested in the dean of agriculture of Purdue University. The dean of agriculture shall be empowered to adopt such rules and regulations as may be deemed necessary in order to carry out the purposes and secure the efficient administration of this chapter.

(Formerly: Acts 1935, c.248, s.9.) As amended by P.L.183-1983, SEC.96; P.L.40-1993, SEC.36.